

Application No. **85458**

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS
OF THE STATE OF NEVADA HERETOFORE APPROPRIATED**

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office **SEP 25 2015**

Returned to applicant for correction _____ Under 85457

Corrected application filed _____ Map filed **SEP 25 2015**

The applicant Desert Badger LLC (22.575 afa) and Breaking Badger LLC (7.131 afa)

PO Box 80357 of Las Vegas

Street Address or PO Box

City or Town

Nevada 89180

State and ZIP Code

hereby make(s) application for permission to change the

☒ Point of diversion

☒ Place of use

☒ Manner of use

☒ of a portion

of water heretofore appropriated under (Identify existing rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Permit 14458 (Cert 5438)

1. The source of water is underground

Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 0.041 cfs; 29,706 afa

Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for irrigation and domestic

Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use

4. The water heretofore used for irrigation

If for stock, state number and kind of animals.

5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)

SW1/4 SW1/4 Sec. 11, T.21S., R.54E., M.D.M., or at a point from which the E1/4 corner of said Sec. 11 bears N. 74° 48' 53" E., at a distance of 5392 feet.

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

NE1/4 SE1/4 Sec. 4, T.20S., R.53E., M.D.M., or at a point from which the E1/4 corner of said Sec. 4 bears N. 14° 03' E., 103 feet

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Nye

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

53.07 acres within the 80 acres in the S1/2 SW1/4 Sec. 11, T.21S., R.54E., M.D.M., and also described as APN 047-041-09.

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)

53.07 acres as follows: 12.85 acres within the NW1/4 SW1/4, 12.34 acres within the NE1/4 SW1/4, 14.54 acres within the SE1/4 SW1/4, and 13.34 acres within the SW1/4 SW1/4 of Sec. 4, T.20S., R.53E., M.D.M. See area identified as area "2" on map filed in support of Application 85453.

9. Proposed use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Existing use permitted from January 1 to December 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e., diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)

well, pump and appurtenances

12. Estimated cost of works \$50,000

13. Estimated time required to construct works three (3) years

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use five (5) years

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Failure to provide a detailed description may cause a delay in processing.)

Applicants participation in the farming project at the Pechstein Ranch is ending. Accordingly, by this application the Applicants are moving the water to its own property for irrigation within the proposed place of use. The Applicants' ownership interests in the total combined duty of 265.35 afa for Permits 13959, 14458 and 68981 is as follows: Desert Badger, LLC 201.65 afa TCD; and Breaking Badger, LLC 63.7 afa TCD.

16. Miscellaneous remarks:

The Applicants Desert Badger, LLC and Breaking Badger, LLC are related entities. Accordingly, Desert Badger, LLC gives Breaking Badger permission to place its portion of water under the Application to use on its property.

tdriiggs@nevadafirm.com

E-mail Address

702-791-0308

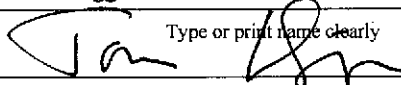
Phone No.

Ext.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

Thomas Driggs

Type or print name clearly



Signature, applicant or agent

Holley, Driggs, Walch et al.

Company Name

400 S. Fourth St., 3rd Floor

Street Address or PO Box

Las Vegas, NV 89101

City, State, ZIP Code

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